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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,399	10/01/2003	Myoung-Ho Kim	1572.1172	5161

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EXAMINER
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CUNNINGHAM, GREGORY F

ART UNIT	PAPER NUMBER
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2676

DATE MAILED: 12/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/674,399	Applicant(s) KIM, MYOUNG-HO	
	Examiner Gregory F. Cunningham	Art Unit 2676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 10-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/1/03 &amp; 1/5/05</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

1. This action is responsive to communications of amendment received 9/18/2005.
2. The disposition of the claims is as follows: claims 1-8 and 10-13 are pending in the application. Claim 1, 4, 5, 8, 10 and 11 are independent claims. Claim 9 has been cancelled.

### *Information Disclosure Statement*

2A. The information disclosure statement filed 10/1/2003 and 1/5/2005 fails to comply with 37 CFR 1.98(a)(3) because it does not include a **concise explanation of the relevance**, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of **each patent listed** that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 – 8, 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fang et al., (US Patent 6,816,201 B1), hereinafter Fang, and further in view of Bessel, (US Patent 6,069,663).

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A. Claim 1, “A method of controlling a video control system in a computer having a video controller supplying a picture signal to a displaying apparatus [Fang: col. 4, lns. 40-67], comprising:

setting up in advance a display adjusting value for adjusting a displaying status of a picture displayed on the displaying apparatus [Fang: col. 4, lns. 61-67, wherein ‘viewer may preselect parameters to allow the computer to automatically control the television system, for example, ... and/or to otherwise improve television viewing’];

selecting a conversion of the displaying status according to a user selection [Fang: col. 3, lns. 39-47, wherein ‘user interface’ and “on-screen display” or ‘turn closed captioning on or off’ respectively correspond to “according to a user selection” and “selecting a conversion of the displaying status”];

adjusting a signal of the picture to be supplied from the video controller to the displaying apparatus, according to the user selection and the display adjusting value set up in advance [Fang: col. 3, lns. 39-47, wherein ‘user interface’, ‘viewer may preselect parameters’, and “on-screen display” or ‘turn closed captioning on or off’ respectively correspond to “according to the user selection”, “set up in advance” and “selecting a conversion of the displaying status”];

and outputting the picture signal adjusted according to the display adjusting value to the displaying apparatus from the video controller [implied by fang and shown in Figs. 1 and 2, wherein adjusted and/or modified signals arrive at TV Display 14 via pathways 28, 30 and 36; furthermore disclosed in Bessel at col. 3, ln. 39 – col. 4, ln. 9 and shown in Fig. 2, wherein the display is part of Television Receiver 102, for adjusted and/or modified signals from 114 and 130 pathways]” is disclosed by Fang and Bessel [as detailed].

As exemplified, supra, Fang implicitly demonstrates “outputting the picture signal adjusted according to the display adjusting value to the displaying apparatus from the video controller” at col. 3, lns. 39-47 and Figs. 1 and 2, wherein adjusted and/or modified signals arrive at TV Display 14 via pathways 28, 30 and 36, and furthermore Bessel goes on to disclose this in col. 3, ln. 39 – col. 4, ln. 9 and demonstrated in Fig. 2, wherein the display is part of Television Receiver 102, for adjusted and/or modified signals from 114 and 130 pathways.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply video viewing parameter setting by the user disclosed by Fang in combination with parameter setup and viewing disclosed by Bessel, and motivated to combine the teachings because it would provide for automatically configuring the television to display the computer-generated image signals in accordance therewith, as revealed by Bessel in col. 2, lns. 30-32.

B. Claim 2, “The method according to claim 1, wherein the setting up of the display adjusting value in advance comprises setting a value for adjusting any one of brightness, color, contrast, and gamma of a moving picture displayed on the displaying apparatus” is disclosed supra for claim 1 by Fang and Bessel and furthermore in Bessel at col. 2, lns. 25-27.

Still furthermore by Fang and Bessel wherein the display adjustment settings comprise at least one of color, gamma, sharpness, position/size, and tilt” is disclosed, in claim 8, by Fang and Bessel and furthermore by Bessel in [col. 2, lns. 10-21, wherein ‘and/or maximum RGB video level’ and ‘to determine values for the television’s horizontal picture size and position’ correspond to “color” and “position/size”, respectively

Moreover Fang and Bessel are directed toward television, NTSC/S-video, video TV signals which correspond to “moving picture” displayed on the displaying apparatus.

C. Claim 3, “The method according to claim 2, further comprising: selecting a picture conversion automatic execution function to allow the displaying status of the picture to be automatically converted if the moving picture is displayed on the displaying apparatus [Fang: col. 2, Ins. 23-33; col. 4, Ins. 55-67, wherein ‘parameters to allow the computer to automatically control the television to system, for example, ... and/or to otherwise improve normal television viewing’ corresponds to “automatically converting the displaying status”];

ascertaining whether the moving picture is displayed on the displaying apparatus [Fang: col. 4, Ins. 5-14];

adjusting the signal of the moving picture supplied from the video controller to the displaying apparatus according to the display adjusting value set up in advance, if ascertained that the moving picture is displayed on the displaying apparatus [Fang: col. 2, Ins. 23-33; col. 4, Ins. 55-67, wherein ‘parameters to allow the computer to automatically control the television to system, for example, ... and/or to otherwise improve normal television viewing’ corresponds to “automatically converting the displaying status”]; and

allowing the moving picture adjusted according to the display adjusting value to be displayed on the displaying apparatus from the video controller” is disclosed supra for claim 2 by Fang and Bessel and furthermore in Bessel at col. 2, Ins. 25-27.

As exemplified, supra, Fang implicitly demonstrates “outputting the picture signal adjusted according to the display adjusting value to the displaying apparatus from the video controller” at col. 3, Ins. 39-47 and Figs. 1 and 2, wherein adjusted and/or modified signals arrive

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at TV Display 14 via pathways 28, 30 and 36, and furthermore Bessel goes on to disclose this in col. 3, ln. 39 – col. 4, ln. 9 and demonstrated in Fig. 2, wherein the display is part of Television Receiver 102, for adjusted and/or modified signals from 114 and 130 pathways.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply video viewing parameter setting by the user disclosed by Fang in combination with parameter setup and viewing disclosed by Bessel, and motivated to combine the teachings because it would provide for automatically configuring the television to display the computer-generated image signals in accordance therewith, as revealed by Bessel in col. 2, lns. 30-32.

D. Claim 4, “A method of controlling a video control system in a computer having a video controller supplying a picture signal to a displaying apparatus and a video driver controlling the video controller [Fang: col. 4, lns. 40-67], comprising:

setting up in advance, at an application level of the computer operating system, a display adjusting value for adjusting a displaying status of a picture to be displayed on the displaying apparatus [Fang: col. 4, lns. 61-67, wherein ‘viewer may preselect parameters to allow the computer to automatically control the television system, for example, ... and/or to otherwise improve television viewing’];

hooking a user input signal transmitted to the operating system {Fang: ‘XDS’ corresponds to “operating system [Fang: col. 2, lns. 44-56]”};

ascertaining whether the input signal is selecting a conversion of the displaying status of the picture [Fang: col. 4, lns. 5-14];

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supplying the display adjusting value set up in advance to the video driver, if the conversion of the picture displaying status is selected [Fang: col. 3, lns. 39-47, wherein 'user interface' and "on-screen display" or "turn closed captioning on or off" respectively correspond to "according to a user selection" and "selecting a conversion of the displaying status"];

adjusting in the video driver the picture signal to be supplied to the video controller based on the supplied display adjusting value [Fang: col. 3, lns. 39-47, wherein 'user interface', 'viewer may preselect parameters', and "on-screen display" or "turn closed captioning on or off" respectively correspond to "according to the user selection", "set up in advance" and "selecting a conversion of the displaying status"];

and outputting the adjusted picture signal to the displaying apparatus from the video controller [implied by fang and shown in Figs. 1 and 2, wherein adjusted and/or modified signals arrive at TV Display 14 via pathways 28, 30 and 36; furthermore disclosed in Bessel at col. 3, ln. 39 – col. 4, ln. 9 and shown in Fig. 2, wherein the display is part of Television Receiver 102, for adjusted and/or modified signals from 114 and 130 pathways]" is disclosed supra for claim 1 by Fang and Bessel.

As exemplified, supra, Fang implicitly demonstrates "outputting the picture signal adjusted according to the display adjusting value to the displaying apparatus from the video controller" at col. 3, lns. 39-47 and Figs. 1 and 2, wherein adjusted and/or modified signals arrive at TV Display 14 via pathways 28, 30 and 36, and furthermore Bessel goes on to disclose this in col. 3, ln. 39 – col. 4, ln. 9 and demonstrated in Fig. 2, wherein the display is part of Television Receiver 102, for adjusted and/or modified signals from 114 and 130 pathways.



Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply video viewing parameter setting by the user disclosed by Fang in combination with parameter setup and viewing disclosed by Bessel, and motivated to combine the teachings because it would provide for automatically configuring the television to display the computer-generated image signals in accordance therewith, as revealed by Bessel in col. 2, lns. 30-32.

E. Claim 5, “A system for video control in a computer having a video controller supplying a picture signal to a displaying apparatus [Fang: col. 4, lns. 40-67], comprising:

a display adjusting input part allowing input of a display adjusting value adjusting a displaying status of a picture displayed on the displaying apparatus [Fang: col. 4, lns. 61-67, wherein ‘parameters to allow the computer to automatically control the television system, for example, ... and/or to otherwise improve television viewing’; and furthermore by Bessel at col. 2, lns. 10-21, wherein ‘and/or maximum RGB video level’ and ‘to determine values for the television’s horizontal picture size and position’ correspond to “color” and “position/size”, respectively];

a picture adjusting value storage storing the input display adjusting value [Fang: col. 4, lns. 61-67];

a displaying status conversion part selecting a conversion of the displaying status of the picture displayed on the displaying apparatus according to a user selection [Fang: col. 3, lns. 39-47, wherein ‘user interface’ and “on-screen display” or ‘turn closed captioning on or off’ respectively correspond to “according to a user selection” and “selecting a conversion of the displaying status”];

a controller controlling the video controller and changing a picture signal to be output from the video controller based on the stored display adjusting value, in response to the selected displaying status conversion [Fang: col. 3, Ins. 39-47]" is disclosed by Fang and Bessel and [as detailed].

As exemplified, supra, Fang implicitly demonstrates "outputting the picture signal adjusted according to the display adjusting value to the displaying apparatus from the video controller" at col. 3, Ins. 39-47 and Figs. 1 and 2, wherein adjusted and/or modified signals arrive at TV Display 14 via pathways 28, 30 and 36, and furthermore Bessel goes on to disclose this in col. 3, ln. 39 – col. 4, ln. 9 and demonstrated in Fig. 2, wherein the display is part of Television Receiver 102, for adjusted and/or modified signals from 114 and 130 pathways.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply video viewing parameter setting by the user disclosed by Fang in combination with parameter setup and viewing disclosed by Bessel, and motivated to combine the teachings because it would provide for automatically configuring the television to display the computer-generated image signals in accordance therewith, as revealed by Bessel in col. 2, Ins. 10-32.

F. Claim 6, "The system according to claim 5, wherein the input display adjusting value is for displaying a moving picture; and the controller changes the picture signal to be output from the video controller according to the stored moving picture display adjusting value" is disclosed supra for claim 5, by Fang and Bessel and furthermore by Fang in [col. 4, Ins. 51-67, wherein 'viewer preselecting parameters' implies they are stored or saved parameters].

Moreover Fang and Bessel are directed toward television, NTSC/S-video, video TV signals which correspond to “moving picture” displayed on the displaying apparatus.

Furthermore for any adjustment value to be implemented for example Bessel in [col. 2, lns. 10-21, at ‘and/or maximum RGB video level’ and ‘to determine values for the television’s horizontal picture size and position’ correspond to “stored moving picture display adjusting value” since these values must be inherently stored or else the television’s horizontal picture size and position would change.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply video viewing parameter setting by the user disclosed by Fang in combination with controller changes the picture signal to be output from the video controller according to the stored moving picture display adjusting value disclosed by Bessel, and motivated to combine the teachings because it would provide for automatically configuring the television to display the computer-generated image signals in accordance therewith, as revealed by Bessel in col. 2, lns. 10-32.

G. Claim 7, “The system according to claim 5, further comprising an automatic execution selector automatically converting the displaying status if a moving picture is displayed on the displaying apparatus;

wherein the controller changes the moving picture signal to be output from the video controller according to the stored display adjusting value, if sensed that the moving picture is displayed on the displaying apparatus” is disclosed, supra for claim 5, by Fang and Bessel and furthermore by Fang in [col. 2, lns. 23-33; col. 4, lns. 55-67, wherein ‘parameters to allow the computer to automatically control the television to system, for example, ... and/or to otherwise

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improve normal television viewing' corresponds to "automatically converting the displaying status"].

Moreover Fang and Bessel are directed toward television, NTSC/S-video, video TV signals which correspond to "moving picture" displayed on the displaying apparatus.

Furthermore for any adjustment value to be implemented for example Bessel in [col. 2, lns. 10-21, at 'and/or maximum RGB video level' and 'to determine values for the television's horizontal picture size and position' correspond to "stored moving picture display adjusting value" since these values must be inherently stored or else the television's horizontal picture size and position would change.

H. Claim 8, "A computer video control system, comprising: a programmed computer processor storing a display adjusting value to convert a displaying status of a moving picture displayed on a monitor, selecting a displaying status according to a job processing, and changing a moving picture signal output to the monitor in response to the displaying status selection and based on the stored display adjusting value" is disclosed, supra for claims 1 and 5, by Fang and Bessel and furthermore by Fang in [col. 2, lns. 23-33].

Moreover Fang and Bessel are directed toward television, NTSC/S-video, video TV signals which correspond to "moving picture" displayed on the displaying apparatus.

Furthermore for any adjustment value to be implemented for example Bessel in [col. 2, lns. 10-21, at 'and/or maximum RGB video level' and 'to determine values for the television's horizontal picture size and position' correspond to "stored moving picture display adjusting value" since these values must be inherently stored or else the television's horizontal picture size and position would change.

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J. Claim 10, “A computer system, comprising: a programmed computer processor controlling a video controller output to a monitor according to set display adjustment settings of an application processing by the computer system [disclosed, *supra* for claim 8, by Fang and Bessel];

wherein the display adjustment settings comprise at least one of color, gamma, sharpness, position/size, and tilt” is disclosed, in claim 8, by Fang and Bessel and furthermore by Bessel in [col. 2, lns. 10-21, wherein ‘and/or maximum RGB video level’ and ‘to determine values for the television’s horizontal picture size and position’ correspond to “color” and “position/size”, respectively].

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply video viewing parameter setting by the user disclosed by Fang in combination with ‘values for the television’s horizontal picture size and position’ disclosed by Bessel, and motivated to combine the teachings because it would provide for automatically configuring the television to display the computer-generated image signals in accordance therewith, as revealed by Bessel in col. 2, lns. 30-32.

K. Claim 11, “A computer system, comprising:

a video controller outputting an image signal to a displaying apparatus; and a machine-readable storage storing at least one program controlling the computer system according to a process [Fang: col. 4, lns. 40-67, wherein “machine-readable storage storing” is directed to the computer video monitor for performing the method of claim 1] comprising:

setting up in advance a display adjusting value adjusting a displaying status of the image displayed on the displaying apparatus [Fang: col. 4, lns. 61-67, wherein ‘viewer may preselect

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parameters to allow the computer to automatically control the television system, for example, ... and/or to otherwise improve television viewing’];

selecting an adjustment of the displaying status according to a user selection [Fang: col. 3, Ins. 39-47, wherein ‘user interface’ and “on-screen display’ or ‘turn closed captioning on or off” respectively correspond to “according to a user selection” and “selecting a conversion of the displaying status”];

adjusting the image signal according to the user selection and the display adjusting value set up in advance [Fang: col. 3, Ins. 39-47, wherein ‘user interface’, ‘viewer may preselect parameters’, and “on-screen display’ or ‘turn closed captioning on or off” respectively correspond to “according to the user selection”, “set up in advance” and “selecting a conversion of the displaying status”]; and

outputting the adjusted image signal to the video controller to be output to the displaying apparatus [implied by fang and shown in Figs. 1 and 2, wherein adjusted and/or modified signals arrive at TV Display 14 via pathways 28, 30 and 36; furthermore disclosed in Bessel at col. 3, In. 39 – col. 4, In. 9 and shown in Fig. 2, wherein the display is part of Television Receiver 102, for adjusted and/or modified signals from 114 and 130 pathways]” is disclosed by Fang [as detailed].

As exemplified, supra, Fang implicitly demonstrates “outputting the picture signal adjusted according to the display adjusting value to the displaying apparatus from the video controller” at col. 3, Ins. 39-47 and Figs. 1 and 2, wherein adjusted and/or modified signals arrive at TV Display 14 via pathways 28, 30 and 36, and furthermore Bessel goes on to disclose this in

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col. 3, ln. 39 – col. 4, ln. 9 and demonstrated in Fig. 2, wherein the display is part of Television Receiver 102, for adjusted and/or modified signals from 114 and 130 pathways.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply video viewing parameter setting by the user disclosed by Fang in combination with parameter setup and viewing disclosed by Bessel, and motivated to combine the teachings because it would provide for automatically configuring the television to display the computer-generated image signals in accordance therewith, as revealed by Bessel in col. 2, lns. 30-32.

*Allowable Subject Matter*

5. Claims 12 and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

*Response to Arguments*

6. Applicant's arguments filed 9/18/2005 have been fully considered but they are not persuasive.

Claims 1-8, 10 and 11 are repeated supra with explanations and further details and figures set therein.

*Response to Arguments*

7. Substance of the first Office Action, mail date 6/28/2005, used in the rejection is incorporated herein by reference.

*Conclusion*

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

*Responses*

9. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

*Inquiries*

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory F. Cunningham whose telephone number is (571) 272-7784.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on (571) 272-7778. The Central FAX Number for the organization where this application or proceeding is assigned is **571-273-8300**.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Gregory F. Cunningham  
Examiner  
Art Unit 2676

gfc

12/6/2005



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